

testified before the Senate Committee that Ickes was his “superior in [some] sense,”<sup>704</sup> Babbitt conceded that “Ickes is right in saying that he’s not supervising me” – but added that “when Ickes is interested in something, you know about it and you relate and you respond and I did.”<sup>705</sup>

Babbitt’s Grand Jury testimony about the Eckstein meeting was consistent with his Senate and House testimony on the subject, particularly the prepared statements he had presented at the outset of each congressional hearing. He conceded, however, that his testimony before the Senate Committee that he did not mislead Eckstein “was an incorrect answer,” and that he “clearly did mislead Mr. Eckstein.”<sup>706</sup>

In his testimony before both the Senate Committee and the Grand Jury, Babbitt said he lacked clear recollection about virtually any other aspect of his July 14 conversation with Eckstein, but he nevertheless insisted that he is “quite certain” he did not say Ickes “told” or “directed” Babbitt to issue the decision, and that he did not say “that day” or “today” as opposed to “promptly.”<sup>707</sup> Though he could not recall any other statement he made in that meeting, he said emphatically that he just knows what he did not say. Babbitt’s explanation as to why he is confident about what he did or did not tell Eckstein regarding Ickes is essentially that he knew he was telling a “white lie” or “an excuse,” and was intending not to be too specific.<sup>708</sup> He said he thinks people fairly commonly make those kind of general excuses:

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<sup>704</sup>Babbitt Senate Test. at 282.

<sup>705</sup>Babbitt G.J. Test., July 7, 1999, at 144.

<sup>706</sup>*Id.* at 147-48.

<sup>707</sup>*Id.* at 136-39; Babbitt Sen. Test. at 241-42, 246.

<sup>708</sup>Babbitt G.J. Test., July 7, 1999, at 136.